

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES A. BIGELOW,  
Plaintiff,

vs.

NORTHWEST TRUSTEE SERVICES,  
INC.; GREEN TREE SERVICING, LLC.;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, Inc.; and  
DOE DEFENDANTS 1 – 20,

Defendants.

GREEN TREE SERVICING, LLC,

Counter-Plaintiff,

vs.

JAMES A. BIGELOW and CAROLYN  
BIGELOW, Husband and Wife; WELLS  
FARGO BANK, N.A.; OAK RIDGE YELM  
HOME OWNERS ASSOCIATION, a non-  
profit corporation; and ALL PERSONS OR  
PARTIES UNKNOWN CLAIMING ANY  
RIGHT, TITLE, ESTATE, LIEN, OR  
INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT  
HEREIN,

Case No.: 3:14-cv-05798-BHS

NOTICE OF DISPUTE

NOTICE OF DISPUTE  
Case No.: 3:14-cv-05798-BHS

James A. Bigelow  
7916 Southwind Circle  
Huntington Beach CA 92648  
360-790-2568

Counter-Defendants.

Plaintiff and Counter-Defendant, James A. Bigelow, mailed a notice of dispute on or about February 13, 2015 to GTS in care of the alleged attorney for GTS, asking for validation of the alleged debt. An unsigned copy of the original letter sent to GTS is attached. Also attached is GTS acknowledgement of receipt of the debt validation letter. As of March 9, 2015, Mr. Bigelow has still not received any validation from GTS. Pursuant to 15 USC § 1692g(b), Mr. Bigelow (the "Consumer") gives notice that:

1. The debt, or a portion thereof, is disputed.
2. The Consumer requests verification of the debt.
3. The Consumer requests the name and address of the original creditor.
4. The Consumer requests validation of the debt, to wit, the chain of title to the debt and a history of charges and payments thereon.

Dated this 10<sup>th</sup> Day of March, 2015

/s/ James A. Bigelow  
James A. Bigelow

**CERTIFICATE OF SERVICE**

I CERTIFY UNDER PENALTY OF PERJURY under the laws of the State of Washington that the foregoing is true and correct and that a copy of the foregoing has been electronically provided to Renee M. Parker, Esq.

Executed this 10<sup>th</sup> day of March, 2015.

/s/ James A. Bigelow  
James A. Bigelow

NOTICE OF DISPUTE  
Case No.: 3:14-cv-05798-BHS

James A. Bigelow  
7916 Southwind Circle  
Huntington Beach CA 92648  
360-790-2568

# ATTACHMENT

A

February 13, 2015

Cert #

James Bigelow  
7916 Southwind Circle  
Huntington Beach  
California 92648  
360-790-2568

Green Tree Servicing, LLC  
C/O Renee Parker, Esq.  
Wright, Finlay, & Zak, LLP  
4665 MacArthur Blvd, Suite 200  
Newport Beach California 92660  
949-610-7023

Green Tree Servicing, LLC,

You have recently filed a counter-claim for a judicial foreclosure. This is a notice that your claim is disputed.

This is a request for validation of the debt you claim that I owe made pursuant to the Fair Debt Collection Practices Act. Please complete and return the attached disclosure request form. I am requesting a "validation:" that is, competent evidence that I have some contractual obligation to pay you.

Your failure to satisfy this request within the requirements of the Fair Debt Collection Practices Act will be construed as your absolute waiver of any and all claims against me, and your tacit agreement to compensate me for costs and attorneys fees.

Sincerely,

James Bigelow

### CREDITOR DISCLOSURE STATEMENT

Name and Address of Original Creditor: \_\_\_\_\_

\_\_\_\_\_

Name and Address of Debtor: \_\_\_\_\_

\_\_\_\_\_

Account Number(s): \_\_\_\_\_

What are the terms of assignment for this account? You may attach a facsimile of any records relating to such terms.

\_\_\_\_\_

\_\_\_\_\_

Have any insurance claims been made by any creditor or assignee regarding this account? Yes /no

Has the purported balance of this account been used in any tax deduction claim? Yes / no

Please list the complete chain of title to the debt and a history of charges and payments thereon:

\_\_\_\_\_

\_\_\_\_\_

Upon failure or refusal to validate this collection action, Green Tree Servicing agrees to waive all claims against the debtor named herein and pay debtor for all costs and attorney fees involved in defending this collection action.

X \_\_\_\_\_  
Authorized signature for Green Tree Servicing

\_\_\_\_\_  
Date

Please return this completed form and attach all assignment or other transfer agreements that would establish your right to collect this debt. Your claim cannot be considered if any portion of this form is not completed and returned with the required documents. This is a request for validation made pursuant to the Fair Debt Collection Practices Act. If you do not respond as required by this law, your claim will not be considered and you may be liable for damages for continued collection efforts.

# **ATTACHMENT**

## **B**



ROBIN P. WRIGHT\*  
T. ROBERT FINLAY  
JONATHAN M. ZAK  
GWEN H. RIBAR  
JONATHAN D. FINK  
CHARLES C. MCKENNA  
DANA JONATHON NITZ\*\*  
PATRICIA L. PENNY  
RICHARD D. SIMPSON, Jr.  
NICHOLAS G. HOOD  
PETER M. WATSON  
JAMES J. RAMOS  
MAGDALENA D. KOZINSKA  
HELEN CAYTON  
NICHOLE L. GLOWIN  
CHRISTOPHER L. BENNER+\*\*  
RAYMOND A. JEREZA\*  
RUBY J. CHAVEZ  
NICOLE S. DUNN  
JOSHUA R. HERNANDEZ  
KATHRYN A. MOORER  
TODD E. CHVAT

www.wrightlegal.net

Direct Dial: (949) 610-7023  
Email: rmparker@wrightlegal.net



**WRIGHT FINLAY & ZAK**  
ATTORNEYS AT LAW

**Main Office**  
4665 MacArthur Court, Suite 200  
Newport Beach, CA 92660  
Main Phone: (949) 477-5050  
Main Fax: (949) 477-9200  
Email Fax: (949) 608-9142

**Northern California Office**  
907 Sir Francis Drake Blvd.  
Kentfield, CA 94904  
Direct Phone (415) 230-4350  
Main Phone: (949) 477-5050  
Main Fax: (949) 608-9142

**Nevada Office**  
5532 S. Fort Apache Rd., Bldg. C, Suite 110  
Las Vegas, Nevada 89148  
Main Phone: (702) 475-7964  
Fax: (702) 946-1345

**Arizona Office**  
18444 N. 25<sup>th</sup> Ave., #420  
Phoenix, AZ 85023-1268  
Main Phone: (602) 845-8898

\*\*\*+\*LUKASZ I. WOZNIAK  
\*\*\*BRADFORD E. KLEIN  
RONALD M. ARLAS  
AVI N. PHILLIPS  
ANN NANO MCNAMARA  
MICHAEL J. GILLIGAN  
\*\*CHELSEA A. CROWTON  
TANYA C. MCCULLAH  
\*/\*\*\*JOY B. THOMAS  
\*\*\*KIM R. LEPORE  
KRISTINA M. PELLETIER  
DANIEL A. VALENZUELA  
JENNIFER A. BRADY  
\*\*/+\*\*R. SAMUEL EHLERS  
MICHAEL R. ASATOURIAN  
\*\*\*\*RENEE M. PARKER  
TODD R. WHITEHORN  
MARVIN B. ADVIENTO

\*Also Admitted in Nevada  
\*\*Admitted only in Nevada  
\*\*\*Also Admitted in Arizona  
\*\*\*\*Also Admitted in Washington  
++Also Admitted in Hawaii  
+Licensed Patent Attorney  
+++Also Admitted in Utah

**SENT VIA FIRST CLASS MAIL AND E-MAIL**

February 18, 2015

Mr. James Bigelow  
7916 Southwind Circle  
Huntington Beach, CA 92648

Re: Case Name : *Bigelow v. Green Tree Servicing, et al.*  
Case No. : *3:14-cv-05798-BHS, United States District Court, Western District of Washington*

**RE: DEBT VALIDATION LETTER RECEIVED FEBRUARY 17, 2015**

Dear Mr. Bigelow:

Our firm is in receipt of the Debt Validation correspondence dated February 13, 2015. Please treat this letter as our acknowledgement, on Green Tree Servicing's behalf, of receipt of your correspondence.

Green Tree Servicing is working on obtaining this information, and we will provide a response timely.

Sincerely,  
WRIGHT, FINLAY & ZAK, LLP

  
Renee M. Parker, Esq.